

CITY COMMISSION MINUTES

August 17, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, August 17, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Debra Johnston of 1320 McFarland requested that the City provide information as to why and when the 5 minute limit on public comment was approved.

Pastor Brian Emig stated that he is a member of a small but growing church; he has challenged the congregation to become more than just another church as was suggested at the last Commission meeting. He stated that the church does not have any plans to erase the history at the site.

Vince Devorak a member of Turning Point Church stated that this location is critical for the church, and proximity to Fort Riley is important.

Pastor Dan of Turning Point Church stated that the church is not typical, and the building meets the needs of the congregation.

CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-16-2010** dated July 29, 2010 to August 11, 2010 in the amount of \$872,199.67. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Approval of the **August 3, 2010** City Commission Meeting Minutes; approval of the **June 22, 2010** Special City Commission Meeting Minutes; approval of the **June 29, 2010** Special City Commission Meeting Minutes; approval of the **August 5, 2010** Special City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Consideration and approval to receive grant award in the amount of \$27,711.00 for the Open Door. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Consideration and approval to certify to the County for collection on the tax statements of Special Assessments, and Blight Assessments. Commissioner Taylor moved,

seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Monthly Reports:

1. EMS
2. Fire
3. Personnel
4. Rolling Meadows Golf Course

The consideration and approval of documents required for the sale of the property at 326 S. Washington. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

PUBLIC HEARING

A public hearing to consider condemnation of the structure at 1005 Dagen Lane and approval of **R-2624**. Mayor Rhodes opened the public hearing. Senior Inspector Karmann stated that this property has improved greatly, and is being rehabilitated. Commissioner Taylor stated that he is pleased that Perfection Builders was able to save the property from demolition. Mayor Rhodes closed the public hearing. Commissioner Heldstab moved, seconded by Commissioner Taylor to not condemn the structure at 1005 Dagen Lane. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

A public hearing to consider condemnation of structure at 914 and 916 Kramer Court and approval of **R-2625**. Senior Inspector Karmann requested that this item be tabled until the August 17, 2010 City Commission Meeting. Commissioner Talley Moved, Seconded by Commissioner Johnson to table the item for future consideration. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Mayor Rhodes presented letters of Commendation to Lieutenant Keith Fitzgerald, Officer Jeremy Bice, and officer David Sloan.

Officer Wigton presented certificate/award to the August Yard of the Month winner to 1015 Burke Dr..

Buffalo Soldier presentation. Gaylynn Childs stated that the Little Theater building is important to African American culture in the area and provided a history of the building. She stated that other buildings in town were deed for one dollar for historic purposes, and this building should be too. Gaylynn Childs stated that the City would benefit economically in the future from visitors to the museum. Commissioner Johnson stated that the building has been for sale for a long time; he asked if the Historical Society was willing to purchase the building. Gaylynn Childs stated that her board has the power to make that decision. Trooper Edley of the 9th & 10th Cavalry Association stated that plans were made for the building in the past. He stated that Buffalo Soldier

events are well attended and was disappointed to be out of the loop on the sale of the building. Commissioner Johnson asked if the group had any funds to purchase the building. Trooper Edley stated that he could not speak for the board about purchasing the building. Trooper Curly spoke to the Commission about his history and the building; he was married there in 1943. Commissioner Johnson stated that for the museum to become a reality, it would require additional funds from the City. City Manager Vernon stated that the Commission has the option to reject all bids. Commissioner Heldstab stated that he did not want to rush to a decision on the sale. Commissioner Johnson stated that he would need the blessing of the church in order to delay the sale any further. Commissioner Johnson stated that with the OK from the church he would wait for information from the Buffalo Soldier group in 3 to 4 weeks. Trooper Edley stated that it would likely take more time, approximately 3 months. Commissioner Taylor asked about the potential artifacts for the museum. Trooper Edley stated that items would be rotated, and there would be items from local residents. Commissioner Taylor suggested that Turning point Church could offer first right of refusal to the Buffalo Soldier group on any future sale of the building. Trooper Edley stated that his organization should have been called about the sale of the building. Commissioner Johnson stated that the turning Point Church met the requirements of the bid process. Pastor Eming stated that the bid was supposed to be completed 28 days ago; it would not be fair to bid the building again as the Church's bid has already been opened. City attorney Logan stated that the Commission would need to accept, reject, or table the item.

PUBLIC HEARING

Final budget hearing allowing for final public input regarding the 2011 budget. Mayor Rhodes opened and closed the budget hearing to allow for public input regarding the 2011 budget.

UNFINISHED BUSINESS

The consideration and approval of **Ordinance S-3083** attesting to an increase in tax revenues. **(Final Reading)** Commissioner Johnson asked about property tax payments that the City had made. Finance Manager Beatty stated that the City is pursuing rebates on properties for the past three years. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve S-3083 on final reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of a bid from Turning Point Church in the amount of \$100,100.00 for the property at **339W 18th St.** Commissioner Heldstab suggested extending the lease to Turning Point Church for 6 months to provide time for the Buffalo Soldier group. Mayor Rhodes stated that he would like to see the item postponed. Commissioner Johnson moved, seconded by Commissioner Taylor to approve bid from Turning Point Church in the amount of \$100,100.00 for the property at **339W 18th St.** Ayes: Johnson, Rhodes, Taylor. Nays: Heldstab. Motion carried.

The consideration and approval of **adoption of the 2011 Budget** as presented at the August 5th meeting. Finance Manager Beatty stated that the budget is finished and is presented for final approval. Commissioner Johnson stated that the mill levy had not

been increased, but no cuts have been made. Commissioner Taylor moved, seconded by Commissioner Heldstab to adopt the 2011 budget as presented at the August 5th meeting. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

NEW BUSINESS

The consideration and approval to **change the fine and court costs schedule** for the Junction City Municipal Court, and modify the process for any future changes to fines and court costs from a Charter Ordinance to a General Ordinance.

1. Approve Charter Ordinance No. 39 First Reading.
2. Approval of Declaration of Emergency
3. Approval Charter Ordinance No. 39 Final Reading.
2. Approve General Ordinance G-1076 on First Reading.

Commissioner Johnson moved, seconded by Commissioner Taylor to approve Charter Ordinance No. 39 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Declaration of Emergency. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Charter Ordinance No. 39 on final reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Taylor moved, seconded by Commissioner Johnson to approve G-1076 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **Ordinance G-1075** amending Title IV, Subdivision Regulations, and Title V, Building and Construction, of City Code to add language regarding exemptions to platting and adding language concerning when building permits may be issued on unplatted lands. Mayor Rhodes asked why the current ordinance had been approved. David Yearout stated that staff had used discretion in the past and is not ideal. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve G-1075 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **waiver of paving** requirement for off street parking area by Triangle Self Storage proposed new facility at 2721 Gateway Court on the land over the easement of Kansas Gas Service. David Yearout stated that the waiver is being considered because the pipeline is at issue; the portion property on the easement would require paving if not for the easement issue. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve waiver of paving requirement for off street parking area by Triangle Self Storage proposed new facility at 2721 Gateway Court on the land over the easement of Kansas Gas Service. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **Ordinance S-3085** authorizing the imposition of a one percent City-wide sales tax and related matters. **(First Reading)** Commissioner Johnson moved, seconded by Commissioner Heldstab to approve S-3085 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Johnson stated that he was glad to see people attending the Commission meeting, and was pleased that the 1% sales tax was approved.

Commissioner Taylor thanked the staff for their work on the budget.

Commissioner Heldstab submitted a letter from Kyle Junghans to be included in the minutes.

Mayor Rhodes also thanked staff for work on the budget.

STAFF COMMENTS

City Manager Vernon stated that he understands that the refunding on properties to the county is lousy timing, and he understands the frustration. City Manager Vernon stated that he is continuing to work with the EDC, MAC, and Chamber of Commerce on consolidation efforts.

ADJOURNMENT

Commissioner Heldstab moved, seconded by Commissioner Johnson to adjourn at 9:02 PM Ayes: Heldstab, Johnson, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 7th DAY OF SEPTEMBER 2010 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR AUGUST 17, 2010.



Tyler Ficken, City Clerk

Ken Talley, Vice Mayor